IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE C.N.RAMACHANDRAN NAIR

FRIDAY, THE 25TH MAY 2007 / 4TH JYAISHTA 1929

WP(C).No. 10869 of 2007(R)

PETITIONER:

RUKKIYA, W/O.SHOUKATHALI RAWTHER,
M.S.MANZIL, POTHUNDI ROAD, NENMARA,
PALAKKAD.

BY ADV. SRI.H.BADARUDDIN

RESPONDENTS:

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1. DISTRICT COLLECTOR, PALAKKAD.

2. TAHASILDAR (REVENUE RECOVERY),
CHITTUR, PALAKKAD DISTRICT.

3. VILLAGE OFFICER, VALLANGI, CHITTUR
TALUK, PALAKKAD DISTRICT.

4. THE JOINT REGIONAL TRANSPORT OFFICER,
ALATHUR, PALAKKAD DISTRICT.

BY G.P. SMT.M.K.PUSHPALATHA

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 25/05/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

C.N.RAMACHANDRAN NAIR, J.

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W.P.(C) No.10869 of 2007

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Dated this the 25th day of May, 2007.

JUDGMENT

Dispute pertains to liability for motor vehicle tax in respect of a Swaraj Mazda vehicle bearing Registration No.KL 09/R/1001. The vehicle is said to be in arrears of tax for three quarters. Even though petitioner has filed a representation, R.T.O. has not given any reply to the same. According to the petitioner, arrears is only around Rs.55,080. In the circumstances, W.P. is disposed of with direction to the 4th respondent to receive Rs.55,080/- unconditionally from the petitioner and endorse receipt in the RC book towards deposit of motor vehicle tax. The petitioner will make payment of tax within ten days from today, failing which she will surrender the vehicle to the 4th respondent. After payment is made, the RTO will consider petitioner's dispute on tax and hear her, if she so desires and pass an order fixing the tax liability and issue copy to the petitioner. If petitioner is convinced, petitioner can pay balance tax or if petitioner wants to contest, she can file appeal before the Deputy Transport Commissioner against the order issued by the RTO. Balance tax liability will be endorsed in the RC book and if petitioner does not get stay from the Deputy

Transport Commissioner within three weeks from the date of order, the 4th respondent will recover the tax and such recovery will be subject to result of appeal, if any filed.

W.P. is disposed of as above.

C.N.RAMACHANDRAN NAIR
Judge

pms